

# BARNES & THORNBURG LLP

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Indianapolis, IN 46204  
(317) 236-1313  
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## ***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

|                   |                       |   |                             |
|-------------------|-----------------------|---|-----------------------------|
| Group:            | 1723                  | } |                             |
|                   |                       | } |                             |
| Confirmation No.: | 3698                  | } |                             |
|                   |                       | } |                             |
| Application No.:  | 10/560,869            | } |                             |
|                   |                       | } |                             |
| Invention:        | METHOD AND APPARATUS  | } |                             |
|                   | FOR PERFORMING PLANAR | } |                             |
|                   | ELECTROCHROMATOGRAPHY | } |                             |
|                   | AT ELEVATED PRESSURE  | } | <b>DATED: JULY 11, 2006</b> |
|                   |                       | } |                             |
| Applicant:        | David Nurok et al.    | } |                             |
|                   |                       | } |                             |
| Filed:            | December 14, 2005     | } |                             |
|                   |                       | } |                             |
| Attorney          |                       | } |                             |
| Docket:           | 29920-79201           | } |                             |
|                   |                       | } |                             |
| Examiner:         | Unknown               | } |                             |

### **REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Office of Initial Patent Examination's Filing Receipt Corrections

Sir:

A copy of the filing receipt for the above-identified patent application is attached with the requested changes noted in writing:

1) it was noted that the second inventor's middle initial is incorrect. Please change the second inventor's middle initial from "F" to "E" to reflect his name as Robert E. Santini;

2) it was noted that the priority claim is incorrect. In addition to the applications noted on the filing receipt, Applicants also claimed priority to U.S. Provisional Application No. 60/537,763 filed January 20, 2004. Please correct the priority claim to reflect the following:

This application is a 371 of PCT/US04/19438 06/17/2004 which claims benefit of 60/479,700 06/19/2003 and 60/537,763 01/20/2004

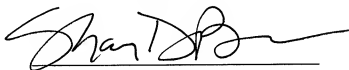
A copy of the declarations and the front page of the application as filed is enclosed for verification purposes.

3) it was noted that the Power Attorney section lists only attorney Shawn Bauer—41603. However, the declaration listed nine (9) other practitioners (ten total). Please add the names of the other nine (9) practitioners to the corrected filing receipt.

Applicants respectfully request that a corrected filing receipt be issued and sent to the undersigned attorney. Applicants believe that no fee is due to correct the filing receipt as noted above. However, in the event a fee must be paid, the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 10-0435 with reference to our matter 29920-79201.

Respectfully submitted,

BARNES & THORNBURG LLP

A handwritten signature in black ink, appearing to read 'Shawn D. Bauer', written over a horizontal line.

Shawn D. Bauer  
Attorney Reg. No. 41,603

SDB/kim  
Indianapolis, IN  
(317) 231-7313



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/560,869 | 12/14/2005                | 1723     | 2050          | 29920-79201     | 15       | 47       | 5        |

Barnes & Thornburg  
 11 South Meridian Street  
 Indianapolis, IN 46204

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MAY 15 2006

BARNES &amp; THORNBURG

CONFIRMATION NO. 3698

FILING RECEIPT



\*OC000000018687709\*

Date Mailed: 05/05/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

David Nurok, Indianapolis, IN;  
 Robert F. Santini, West Lafayette, IN;  
 Randall W. Replogle, Delphi, IN;  
 Gregory L. Hawkins, Frankfort, IN, Deceased;  
 Henry L. Hawkins, Frankfort, IN, Legal Representative;  
 James M Koers, Indianapolis, IN;

## Power of Attorney:

Shawn Bauer-41603

*Insert the ten (10) practitioners listed on the attached copy of the Declaration and Power of Attorney filed on 12/14/05*

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/19438 06/17/2004  
 which claims benefit of 60/479,700 06/19/2003 and 60/537,763 01/20/2004

## Foreign Applications

Acceptable Request to Retrieve Priority Application Received?

If Required, Foreign Filing License Granted: 05/04/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/560,869**

Projected Publication Date: 08/10/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Method and apparatus for performing planar electrochromatography at elevated pressure

**Preliminary Class**

210

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# COPY

Attorney Docket No.: 29920-  
Client Reference No.: IURTC-0373

## DECLARATION AND POWER OF ATTORNEY – PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

METHOD AND APPARATUS FOR PERFORMING PLANAR  
ELECTROCHROMATOGRAPHY AT ELEVATED PRESSURE  
the specification of which  
(check one) ☐ is attached hereto  
☒ was filed on 17 June 2004 (17.06.04) as  
United States Application Serial No. \_\_\_\_\_ or  
PCT International Application No. PCT/US2004/019438  
and was amended on \_\_\_\_\_

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s)                                | Priority Claimed   |
|---|--------------------|
| (Number) _____ (Country) _____ (Day/Month/Year Filed) _____ | Yes _____ No _____ |
| (Number) _____ (Country) _____ (Day/Month/Year Filed) _____ | Yes _____ No _____ |

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

|   |  |
|---|--|
| <u>60/479,700</u><br>Application Number | <u>19 June 2003 (19.06.03)</u><br>Filing Date    |
| <u>60/537,763</u><br>Application Number | <u>20 January 2004 (20.01.04)</u><br>Filing Date |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                              |                   |   |
|------------------------------|-------------------|---|
| Application Serial No. _____ | Filing Date _____ | Status-patented, pending, abandoned _____ |
| Application Serial No. _____ | Filing Date _____ | Status-patented, pending, abandoned _____ |

COPY

I hereby appoint Richard D. Conard, Reg. No. 27321; Dilip A. Kulkarni, Reg. No. 27510; Richard A. Rezek, Reg. No. 30796; Paul B. Hunt, Reg. No. 37154; Jeffrey A. Michael, Reg. No. 37394; Bradford G. Addison, Reg. No. 41486; Shawn D. Bauer, Reg. No. 41603; Carl E. Stewart, Reg. No. 51058; Kevin L. McLaren, Reg. No. 48351; and Dennis S. Schell, Reg. No. 48696 as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204  
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Joint Inventor

David NUROK

*David Nurok*

Inventor's Signature

1545 Trace Lane

Residence and Post Office Address

Indianapolis, IN 46260 U.S.A.

Country of Citizenship

United States of America

April 28, 2005

Date

Full Name of Second Joint Inventor

Robert E. SANTINI

*Robert E. Santini*

Inventor's Signature

116 Wheeler Lane

Residence and Post Office Address

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Country of Citizenship

United States of America

MAY 02, 2005

Date

Full Name of Third Joint Inventor

Randall W. REPIOGLE

*Randall W. Repogle*

Inventor's Signature

215 North High Street

Residence and Post Office Address

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Country of Citizenship

United States of America

05-02-05

Date

COPY

Estate of Gregory L. Hawkins, Deceased Inventor

Country of Citizenship

By: \_\_\_\_\_  
PERSONAL REPRESENTATIVE OF THE ESTATE  
OF GREGORY L. HAWKINS, DECEASED

United States of America

Signature \_\_\_\_\_

Date \_\_\_\_\_

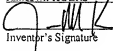
Residence and Post Office Address \_\_\_\_\_  
\_\_\_\_\_

Full Name of Fifth Joint Inventor

Country of Citizenship

James M. KOERS \_\_\_\_\_

United States of America

 \_\_\_\_\_  
Inventor's Signature

29 April 2005

Date

11950 Glen Cove Drive  
Residence and Post Office Address  
Indianapolis, IN 46236 U.S.A.



DECLARATION AND POWER OF ATTORNEY – PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

METHOD AND APPARATUS FOR PERFORMING PLANAR  
ELECTROCHROMATOGRAPHY AT ELEVATED PRESSURE  
the specification of which \_\_\_\_\_  
(*check one*) \_\_\_\_\_ is attached hereto  
                                  XX was filed on 17 June 2004 (17.06.04) as  
United States Application Serial No. \_\_\_\_\_ or  
PCT International Application No. PCT/US2004/019438  
and was amended on \_\_\_\_\_

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) |           |                        | Priority Claimed |       |
|------------------------------|-----------|------------------------|------------------|-------|
| (Number)                     | (Country) | (Day/Month/Year Filed) | Yes              | No    |
| _____                        | _____     | _____                  | _____            | _____ |
| (Number)                     | (Country) | (Day/Month/Year Filed) | Yes              | No    |

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

|                    |                                   |
|--------------------|-----------------------------------|
| <u>60/479,700</u>  | <u>19 June 2003 (19.06.03)</u>    |
| Application Number | Filing Date                       |
| <u>60/537,763</u>  | <u>20 January 2004 (20.01.04)</u> |
| Application Number | Filing Date                       |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                        |             |                                     |
|------------------------|-------------|-------------------------------------|
| Application Serial No. | Filing Date | Status-patented, pending, abandoned |
|------------------------|-------------|-------------------------------------|

|                        |             |                                     |
|------------------------|-------------|-------------------------------------|
| Application Serial No. | Filing Date | Status-patented, pending, abandoned |
|------------------------|-------------|-------------------------------------|

I hereby appoint Richard D. Conard, Reg. No. 27321; Dilip A. Kulkarni, Reg. No. 27510; Richard A. Rezek, Reg. No. 30796; Paul B. Hunt, Reg. No. 37154; Jeffrey A. Michael, Reg. No. 37394; Bradford G. Addison, Reg. No. 41486; Shawn D. Bauer, Reg. No. 41603; Carl E. Stewart, Reg. No. 51058; Kevin L. McLaren, Reg. No. 48351; and Dennis S. Schell, Reg. No. 48696 as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204  
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full Name of First Joint Inventor**

David NUROK

Inventor's Signature

1545 Trace Lane

Residence and Post Office Address  
Indianapolis, IN 46260 U.S.A.

Country of Citizenship

United States of America

Date

**Full Name of Second Joint Inventor**

Robert E. SANTINI

Inventor's Signature

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Country of Citizenship

United States of America

Date

**Full Name of Third Joint Inventor**

Randall W. REPLOGLE

Inventor's Signature

215 North High Street

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Delphi, IN 46923 U.S.A.

Country of Citizenship

United States of America

Date

Estate of Gregory L. Hawkins, Deceased Inventor

By: HENRY L. HAWKINS  
PERSONAL REPRESENTATIVE OF THE ESTATE  
OF GREGORY L. HAWKINS, DECEASED

Henry L. Hawkins  
Signature

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Full Name of Fifth Joint Inventor

James M. KOERS

Inventor's Signature

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Indianapolis, IN 46236 U.S.A.

Country of Citizenship

United States of America

3/23/05  
Date

Country of Citizenship

United States of America

Date

METHOD AND APPARATUS FOR PERFORMING PLANAR  
ELECTROCHROMATOGRAPHY AT ELEVATED PRESSURE

This application claims priority under 35 U.S.C. § 119(e) to U.S.  
5 Provisional Patent Application Serial No. 60/479,700 entitled "Method and Apparatus  
for Performing Planar Electrochromatography at Elevated Pressure" which was filed  
on June 19, 2003, and U.S. Provisional Patent Application Serial No. 60/537,763,  
entitled "Method and Apparatus for Performing Planar Electrochromatography at  
Elevated Pressure" which was filed on January 20, 2004, both of which are expressly  
10 incorporated by reference herein.

CROSS REFERENCE

Cross reference is made to copending, commonly assigned U.S. Patent  
Application Serial No. 09/941,205 which is a continuation of U.S. Patent Application  
15 Serial No. 09/426,297, now U.S. Patent No. 6,303,029, both of which are hereby  
incorporated by reference.

TECHNICAL FIELD OF THE DISCLOSURE

The present disclosure relates generally to chromatography, and more  
20 particularly to planar electrochromatography at elevated pressure.

BACKGROUND OF THE DISCLOSURE

Numerous chromatography techniques have been developed which  
enable the separation of mixtures into individual chemical components.  
25 Electrochromatography is one such technique. Electrochromatography involves the  
use of an electrical potential applied across the sorbent layer. As described in  
commonly owned U.S. Patent No. 6,303,029, desirable results may be achieved by